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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,554	11/02/2001	Hong Thi Nguyen	36968-262341	5036

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EXAMINER

LE, KAREN L

ART UNIT	PAPER NUMBER
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2614

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/24/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/003,554

Applicant(s)

NGUYEN ET AL.

Examiner

Karen L. Le

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-43 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3-5, 7-12, 14-15, 17, 19-22, 24-34, 36-37, 39-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cai et al. (U. S. 6,590,970) in view of Kamel (U.S. 6,009,150).

Regarding claims 1, 10, 24 and 32, Cai teaches a method and for setting a limit on the duration of a voice channel communication, comprising the steps of: receiving a communication from a subscriber on a first network element (fig. 1, item 116), said communication causing said first network element to send a request to a second network element (Fig. 1, item 118), in response to said request, sending a message from said second network element to said first network element, causing said first network element to request entry of demarcation information, wherein said demarcation information comprises a demarcation interval, receiving said demarcation information at said first network element, communicating said demarcation information to said second network element, causing said second network element to store said demarcation

Art Unit: 2614

information (Col. 3, lines 32-41, Col. 4, lines 8-30 and 50-60) and wherein said subscriber provides said demarcation information.

Cai does not teach a method for setting a limit on the duration of a voice channel communication wherein said subscriber provides said demarcation information.

However, Kamel teaches a method for setting a limit on the duration of a voice channel communication wherein said subscriber provides said demarcation information (Col.2, Lines 45-51, Col. 3, lines 1-26) and abstract, lines 4-7). Kamel teaches a method that allows the user to predetermine the desired period of time for free or subsidized calling. The user may request additional promotional messages at any time during the connection in order to extend a free or subsidized connection period provide by the system. Thus, a user may earn time allotment, which closely matches the desired length of the call. Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Kamel's feature into Cai's system in order to provide flexibility to allow callers to extend their free or subsidized time allotment during the call. It is always advantageous to give an option to earn an extended time allotment for free or subsidized calling by listening to multiple message at any time during a call at the user's request.

Regarding claims 3, 11-12, 17, 25 and 28, Cai further teaches the demarcation information further comprises a time period to which the demarcation interval applies (Col. 4, lines 50-60 and Col. 3, lines 32-41).

Regarding claims 4, 14, 19-20, 26, 36, 39-40, Cai teaches the demarcation information further comprises identification information for a first station participating in

Art Unit: 2614

said voice channel communication (Fig. 1, item 102, Col. 1, lines 21-23 and Col 4, lines 19-24).

Regarding claims 5, 15, 27 and 37, Cai teaches said demarcation information further comprises identification information for a second station participating in said voice channel communication (Fig. 1, item 130, Col. 1, lines 21-23, Col. 4, lines 8-9).

Regarding claims 7, 21, 29 and 41, Cai teaches said first network element comprises a service switching point (Fig. 1, item 116).

Regarding claims 8, 22, 30 and 42, Cai teaches said second network element comprises a service control point (Fig. 1, item 118).

Regarding claims 9, 31 and 43, Cai teaches said second network element further comprises a billing element, billing for accepting and enforcing said demarcation information (Col. 6, lines 1-4).

Regarding claims 33-34, Cai teaches first network element comprises a demarcation signal component and a communication disconnection component (col. 3, lines 39-42).

3. Claims 2, 6, 13, 16, 18, 23, 35 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cai et al. (U. S. 6,590,970) in view of Kamel (U.S. 6,009,150) and further in view of Smith (U.S. 5,559,871)

Regarding claims 2 and 18, Cai does not teach the step of storing said demarcation information comprises: comparing said demarcation interval to a default demarcation interval; determining which quantity is a lesser quantity; and storing said lesser quantity as said demarcation interval. However, Smith comparing said demarcation interval to a default demarcation interval; determining which quantity is a lesser quantity; and storing said lesser quantity as said demarcation interval (Col. 5, lines 29-45).

Regarding claims 6, 16, 23 and 38, Cai does not teach receiving of said demarcation information comprises receiving said demarcation interval as a monetary quantity. However Smith teaches receiving of said demarcation information comprises receiving said demarcation interval as a monetary quantity (Col. 1, lines 30-32).

Regarding claims 13 and 35 Cai does not teach identification information comprises a password, said password causing said second network element to determine that said demarcation interval is infinite. However, Smith teaches identification information comprises a password, said password causing said second network element to determine that said demarcation interval is infinite (col. 5, lines 29-45).

Art Unit: 2614

Response to Arguments

4. Applicant's arguments with respect to claims 1-43 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen Le whose telephone number is 571-272-7487.


The examiner can normally be reached on Mon and Thurs 8:30 am-5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on 571-272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Karen le
KLL

January 5, 2007


AHMAD F. MATAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2700